

Notice of Allowability

Application No.

10/647,627

Examiner

Allen C. Ho

Applicant(s)

BOROM, ANDREW H.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 16 June 2005.
2. ☒ The allowed claim(s) is/are 1,4-9 and 12-16.
3. ☒ The drawings filed on 25 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chad Guice (Reg. No. 54,141) on 21 June 2005.

Claims 1, 4, 5, 9, 12, 13, and 16 have been amended as follows:

- (1) Claim 1, line 21, "whereby" has been replaced by --such that--.
- (2) Claim 1, line 21, "can be" has been replaced by --is--.
- (3) Claim 4, line 6, "whereby" has been replaced by --such that--.
- (4) Claim 4, line 7, "can be" has been replaced by --is--.
- (5) Claim 5, line 10, "whereby" has been replaced by --such that--.
- (6) Claim 5, line 10, "can be" has been replaced by --is--.
- (7) Claim 9, line 19, "whereby" has been replaced by --such that--.
- (8) Claim 9, line 19, "image intensifier can be" has been replaced by --emitter is--.
- (9) Claim 12, line 6, "whereby" has been replaced by --such that--.
- (10) Claim 12, line 7, "image intensifier can be" has been replaced by --emitter is--.
- (11) Claim 13, line 10, "whereby" has been replaced by --such that--.
- (12) Claim 13, line 10, "image intensifier can be" has been replaced by --emitter is--.
- (13) Claim 16, line 14, "image intensifier" has been replaced by --emitter--.
- (14) Claim 16, line 15, "image intensifier" has been replaced by --emitter--.

Allowable Subject Matter

2. Claims 1, 4-9, and 12-16 are allowed.
3. The following is an examiner's statement of reasons for allowance:

With regard to claims 1 and 4-7, although the prior art discloses a surgical table comprising a main plate, having an upper surface and a lower surface, made from a material which allows x-rays to pass through with minimal absorption or distortion, and an attachment means, affixed to the main plate and configured to attach the main plate to the image intensifier in an orientation wherein the lower surface is proximate to and parallel to the mounting surface of the image intensifier, it fails to teach or fairly suggest that the attachment means includes a first slider, a first locking means, a second slider, and a second locking means as claimed.

With regard to claim 8, although the prior art discloses a surgical table comprising a main plate, having an upper surface and a lower surface, made from a material which allows x-rays to pass through with minimal absorption or distortion, and an attachment means, affixed to the main plate and configured to attach the main plate to the image intensifier in an orientation wherein the lower surface is proximate to and parallel to the mounting surface of the image intensifier, it fails to teach or fairly suggest that the attachment means comprises a first spring clip descending from the main plate, a second spring clip descending from the main plate, and a third spring clip descending from the main plate, wherein the spring clips are configured to bear against the image intensifier as claimed.

With regard to claims 9 and 12-15, although the prior art discloses a surgical table comprising a main plate, having an upper surface and a lower surface, made from a material

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which allows x-rays to pass through with minimal absorption or distortion, and an attachment means, affixed to the main plate and configured to attach the main plate to the emitter in an orientation wherein the lower surface is proximate to and parallel to the mounting surface of the image intensifier, it fails to teach or fairly suggest that the attachment means includes a first slider, a first locking means, a second slider, and a second locking means as claimed.

With regard to claim 16, although the prior art discloses a surgical table comprising a main plate, having an upper surface and a lower surface, made from a material which allows x-rays to pass through with minimal absorption or distortion, and an attachment means, affixed to the main plate and configured to attach the main plate to the image intensifier in an orientation wherein the lower surface is proximate to and parallel to the mounting surface of the emitter, it fails to teach or fairly suggest that the attachment means comprises a first spring clip descending from the main plate, a second spring clip descending from the main plate, and a third spring clip descending from the main plate, wherein the spring clips are configured to bear against the emitter as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen C. Ho whose telephone number is (571) 272-2491. The examiner can normally be reached on Monday - Friday from 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached at (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Allen C. Ho

Allen C. Ho
Primary Examiner
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21 June 2005